

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2020

Coram

The Hon'ble Mr. Justice **M.M.SUNDRESH**
and
The Hon'ble Mr. Justice **D.KRISHNA KUMAR**

CRL.M.P.Nos.6658 and 6659 of 2020
in H.C.P. Nos. 1328 and 861 of 2020

Archana

... Petitioner in
Crl.M.P.No.6658 of 2020

Mageshwari

... Petitioner in
Crl.M.P.No.6659 of 2020

-VS-

1.The Secretary to the Government,
Home Prohibition and Excise
Department, Secretariat,
Chennai – 9.

2.District Collector and District
Magistrate of Ranipet District,
Ranipet – 1.

3.The Superintendent of Police,
Ranipet District, Ranipet.

4.The Superintendent of Prison,
Central Prison, Vellore – 2.

5.The Inspector of Police,

Walajapet Police Station,
Ranipet District.

... Respondents in
both cases

Petitions filed praying for a direction to the respondents to grant parole to the detenus Sasi Kumar @ Thangam, male, aged about 33 Years, S/o. Palani (Late) (TPDA No. 8085) in H.C.P. No. 1328 of 2020 and Manikandan, male, aged about 25 Years, S/o. Palani (Late) in H.C.P. No. 861 of 2020, now confined in Central Prison, Vellore for a period of 15 days without police escort.

For Petitioner : Mr.D.Balaji in both cases

For Respondents : Mr.R.Prathap Kumar
Addl. Public Prosecutor
in both cases

COMMON ORDER

[Order of the Court was made by *M.M.SUNDRESH, J.*]

The detenu in H.C.P.No.856 of 2020 was the father of the detenus in H.C.P. Nos.1328 and 861 of 2020. It appears that, as confirmed by the learned Additional Public Prosecutor, that the father, who was the detenu in H.C.P.No.856 of 2020 and the father of the detenus in H.C.P.Nos.1328 and 861 of 2020 expired yesterday –

30.10.2020. Seeking a direction to the respondents to grant parole to detenus Sasi Kumar @ Thangam, male, aged about 33 Years, S/o. Palani (Late) (TPDA No. 8085) in H.C.P. No. 1328 of 2020 and Manikandan, male, aged about 25 Years, S/o. Palani (Late) in H.C.P. No. 861 of 2020, now confined in Central Prison, Vellore for a period of 15 days without police escort, the present miscellaneous petitions have been filed.

2.The aforesaid factum is not in dispute. In fact the deceased was also a detenu. The detenus in H.C.P.Nos.1328 and 861 of 2020 are admittedly the sons of the detenu in H.C.P.No.856 of 2020 (since deceased).

3.Under those circumstances, we are inclined to direct the respondents to grant parole to the detenus in H.C.P.Nos.1328 and 861 of 2020 for a period of one week starting from today (31.10.2020) without escort. Accordingly, the detenus shall be released at 5.00 p.m. on 31.10.2020 and they shall return back to prison at 05.00 p.m. on 07.11.2020 subject to the usual conditions that can be imposed. During the leave period, the detenus shall report before the Inspector

of Police, Walajapet Police Station, Ranipet District daily at 5.00 a.m.,

4.We make it clear that the detenus, on return, will have to be tested as per the Jail procedure for COVID 19. Similarly, before releasing them also, the aforesaid test will have to be conducted.

5. In view of the above, the miscellaneous petitions stand disposed of.

Post the matter on 09.11.2020 'for reporting compliance'.

(M.M.S.,J.) (D.K.K.,J.)
31.10.2020

Index : Yes / No
mmi/ssm

To

1.The Secretary to the Government,
Home Prohibition and Excise
Department, Secretariat,
Chennai – 9.

2.The District Collector and District
Magistrate of Ranipet District,
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3.The Superintendent of Police,

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4.The Superintendent of Prison,
Central Prison, Vellore – 2.

5.The Inspector of Police,
Walajapet Police Station,
Ranipet District.

6.The Public Prosecutor,
High Court, Madras.

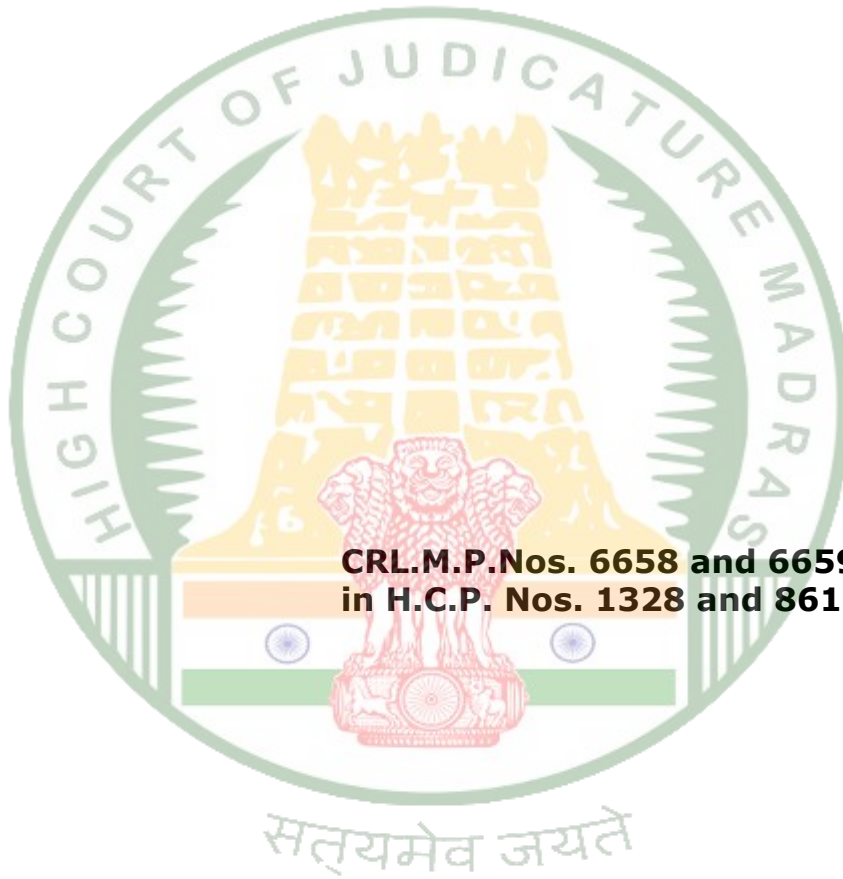


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*CRL.MP Nos.6658 and 6659 of 2020
in HCP Nos.1328 and 861 of 2020*

**M.M.SUNDRESH, J.
and
D.KRISHNAKUMAR, J.**

mmi/ssm



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31.10.2020